

**State Special Education Advisory Committee  
(SSEAC)  
South Hill, Virginia  
April 18-20, 2007**

**DRAFT MINUTES**

**Wednesday April 18, 2007**

***Executive Subcommittee Meeting***

***Ad Hoc Subcommittee Meetings***

**Thursday April 19, 2007**

<b>Members</b>	<b>Present</b>	<b>Absent</b>	<b>Members</b>	<b>Present</b>	<b>Absent</b>
Mike Behrmann		X	Susanne Conroy	X	
Mary Ann Discenza	X		Emily Dreyfus	X	
Sharon Duncan	X		Stacie Ellis		X
Anne Fischer	X		Carol Hamilton	X	
Melodie Henderson		X	David Martin	X	
Cindy Mills	X		Jacqueline Nelson	X	
Rick Richardson		X	Peter Squire		X
Tamara Temoney	X		Carletta Wilson	X	
Michael Wong		X	Pierre Ames (PEATC)	X	

<b>Staff</b>	<b>Present</b>	<b>Absent</b>	<b>Members</b>	<b>Present</b>	<b>Absent</b>
Pat Abrams	X		Cathy Pomfrey	X	
Doug Cox	X		Paul Raskopf	X	
Suzanne Creasey	X		Melissa Smith	X	
Gloria Dalton	X		Anu Upadhyaya	X	
Judy Douglas	X		John Eisenberg	X	

***Guests***

Dr. Frank Polakiewicz, Superintendent, Mecklenburg County  
Christy Pepper, Director of Special Education, Mecklenburg County  
Cecelia Coleman, Director of Special Education, Lunenburg County  
Francie Royer and Dan Dalton - Interpreters

## ***Call to Order***

Ms. Anne Fischer, chair, called the meeting to order. She asked for introductions. Mr. Doug Cox introduced the Superintendent of Mecklenburg County, Dr. Frank Polakiewicz. Dr. Polakiewicz welcomed members to Mecklenburg County and provided members with an overview of what Mecklenburg schools are doing.

## ***Agenda***

In the absence of a quorum for parts of the meeting, Ms. Anne Fischer said the agenda would be adjusted as necessary. Ms. Suzanne Conroy was asked to serve as acting secretary in the absence of the secretary, Ms. Stacie Ellis.

## **Business Session**

### ***Minutes***

On page 5, one sentence was revised to read **“David Martin was appointed by the chair as new subcommittee chair” (Data & Reports). Ms. Sharon Duncan moved that the minutes be approved as amended. Ms. Suzanne Conroy seconded.** The minutes were approved as amended.

### ***Bylaws Revision***

Ms. Fischer pointed out that a change will be forthcoming in the timeline for presenting the annual report. Mr. Cox stated that it has been almost physically impossible to meet the July deadline since the April meeting has to be included in the annual report. The September meeting is probably the earliest possible time for submitting the report to the board of education.

Dr. Judy Douglas reminded members that the federal regulations of 2006 do not require an annual report. Ms. Fischer asked that the policy and regulations subcommittee review the Bylaws. No action was taken at this time.

### ***Public Comment Follow-up***

Mr. Cox provided an overview of follow-up to the public comment at the January 2007 meeting. He told members that one comment came from Heidi Lawyer at the Virginia Board for People with Disabilities. Ms. Anne Fischer, chair, had drafted a letter in response. He mentioned the other speakers with a brief update on each including:

- Nilesh Trivedi – a parent of a five year old child with severe Autism
- Barbara Cornicello – status of Latino Outreach by PEATC in Virginia.
- Emily Dreyfus – issues regarding graduation rate for students with disabilities
- Brenda Hall – parent of a 15 year old with Autism and issues with accessing services

Dr. Pat Abrams, as part of public comment follow-up from the January meeting, distributed a list of benefit planning resources and a resource guide for transition practitioners, "Benefits Counseling for A Brighter Future."

### ***Meeting Dates and Locations***

Everyone was in agreement that the meeting location be moved to different regions of state to involve the constituency. Dates for future meetings and tentative locations were selected as follows:

July 19-20, 2007 – Richmond  
October 25-26, 2007 – Lynchburg  
January 24-25, 2008 – Richmond  
April 17-18, 2008 – Blacksburg  
July 17-18, 2008 – Richmond or somewhere in Region III  
October 23 -24, 2008 – Winchester or Warrenton  
January 22-23, 2009 – Richmond  
April 23-24, 2009 – Williamsburg  
July 23-24, 2009 – Richmond

### ***Annual Report***

Ad Hoc Subcommittee members met briefly and reviewed suggestions from Wednesday evening's subcommittee meetings. Many of the suggestions were a result of a review of the issues raised in the minutes from the July 2006, October 2006 and January 2007 meetings.

### ***Ad Hoc Subcommittee Reports***

#### **Autism**

Ms. Suzanne Conroy reported on the issues proposed by the autism subcommittee for the annual report. Ms. Mary Ann Discenza stated that Autism is one of the points that the Joint Commission on Health Care has added to its work plan for 2007. The recommendation was made from the subcommittee that the Autism subcommittee has completed its work and should be disbanded at the end of the year. The subcommittee believes that Autism is such a major issue that the full committee should be updated regularly on Autism issues.

#### **Constituency Involvement**

Ms. Anne Fischer was the only member of the subcommittee present. Ms. Fischer and Ms. Gloria Dalton, VDOE staff person, reviewed the ad hoc subcommittee reports from the SSEAC meeting minutes for the past three meetings to begin preparation for the 2006-07 SSEAC annual report. The Constituency Involvement subcommittee of the SSEAC will collaborate with the Virginia Board for People with Disabilities (VBPD) in the development of an outreach database

of community members with an interest in special education. This database of community members would include all constituents in the Commonwealth that would welcome participation in a network, sharing information that benefits persons with disabilities, their families, service providers, advocates and policy makers.

The flyer developed by Ms. Judy Hudgins and Ms. Cathy Pomfrey announcing upcoming SSEAC meetings will be distributed to constituents in the VBPD database. It was suggested that Ms. Hudgins revise the flyer as needed.

Information from this subcommittee will be forwarded to Mr. Peter Squire, chairperson, in preparation for the annual report.

### **Data and Reports**

Dr. David Martin reported that the subcommittee reviewed minutes from the three previous meetings and summarized the discussion that had occurred referencing the state performance plan. Guidance has been received from USDOE, but they're still not sure what format it will take. The question was raised as to how the report will be presented to the public. Mr. Paul Raskopf mentioned that the department has a lot of data that is reported to the public. This report is much more complicated than originally thought. The SSEAC members will be invited to participate in format issues in relating data to the public.

Members of the subcommittee suggested that division information should be shared with superintendents and localities before it's presented publicly. The subcommittee recommended that there be a joint conference call(s) with superintendents and special education directors. The call would be initiated by the department of education.

### **Personnel**

Ms. Cindy Mills reported that the subcommittee had reviewed the previous minutes and noted the recommendations from the subcommittee as well as public comments. Recommendations included various licensure issues for teachers of students with disabilities, statewide efforts in Vision Impairment and Speech and Language, and training programs and requirements to address dual exceptionality.

### ***Other Business Items***

### ***Public Comment***

No Public Comment

## Constituency Reports

Name	Report	Comments
Mike Behrmann	absent	
Susanne Conroy		Update on meeting the need for active support groups in Region 7--the first ASD Support Group meeting drew families from five counties and will meet monthly. A Down Syndrome Support Group is also meeting in Smyth County, available to families throughout Southwest VA. Also approached by Jean Felts, mother of a child with cerebral palsy, about meeting with families interested in Conductive Education (PT). Rural school systems are looking at combining resources in order to provide more teacher training in techniques successful with children with ASD, and in sharing educators hired as Autism Specialists. SSEAC flyers were distributed at an Autism Conference, local SEAC meetings, an autism center planning meeting, and to the local special education director to disseminate and share at the regional directors meeting.
Mary Ann Discenza		Has been working closely with Phyllis Mondak; issues-facilitate smooth transition from Part B to Part C; special education directors and early intervention system working together; probably 4-5 different meetings; technical assistance staff/monitoring staff with Phyllis and her staff.
Emily Dreyfus		Expressed concerns from parents about what steps to take when IEPs are not being implemented, lack of services for students with autism, lack of information, and the need for more intensive services. Also noted the good parent turnout and IEP discussion at the Dr. Cannaday presentation.
Sharon Duncan		Stated she was hearing about two issues from parents and professionals in the region: Autism and training for people who work with these children. The second is "budget" as people try to find creative ways to stretch dollars in special education.
Stacie Ellis	absent	
Anne Fisher		Expressed concerns of parents in Region 2 with removal of the read-aloud accommodations – some IEPs containing the accommodation were altered or ignored without proper procedure. Also noted that an LEA in her region is now routing all school buses geographically rather than segregating the special education students.
Carol Hamilton	none	
Melodie Henderson	absent	
David Martin	none	
Cindy Mills		<ol style="list-style-type: none"> <li>1. Private schools are working collaboratively with students from school system to share records, review or develop IEPs and to plan for the student's transition to his or her next educational placement.</li> <li>2. Administration of SOL Testing – a few schools are "pilot programs" for administering SOL testing on line within their own testing window (instead of all the different windows from school systems around the state.)</li> </ol>
Jacqueline Nelson	none	
Rick Richardson	absent	
Peter Squire	absent	
Tamara Temoney		SSEAC flyer was distributed to foster care across the state and adoption consultants to be disseminated to families.

Name	Report	Comments
Carletta Wilson	none	
Mike Wong	absent	
Pierre Ames PEATC		Barbara Cornicello is expanding Hispanic Outreach; has a radio program in Richmond; Latino newspapers--outreach has been successful in many parts of the state, but an area of opportunity is the Eastern Shore region, which boasts a significant Hispanic/Latino population. Mr. Ames distributed a PEATC concept paper expressing the desire to develop a team of IEP facilitators (not advocates) certified and trained to work with IEP teams to prevent dispute that disintegrates into due process.

## ***Lunch***

### ***Assistant Superintendent's Report***

Mr. Cox told members that the U.S. Department of Education has released final regulations under the No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Act (IDEA) providing additional flexibility to states to more appropriately measure the achievement of certain students with disabilities. These regulations allow states to develop modified academic achievement standards that are challenging for eligible students and measure a student's mastery of grade-level content, but are less difficult than grade-level achievement standards. The new regulations are part of an ongoing effort to ensure that all students, including those with disabilities, fully participate in a state's accountability system and are assessed in an appropriate and accurate manner.

The 2006 Appropriation Act established a provision, known as the School for Students with Disabilities Fund, under the Neighborhood Assistance Program, whereby individuals or businesses may receive tax credits for contributions made to private schools for students with disabilities when the donations are for the purpose of providing tuition assistance for students to attend the school. The department is developing guidelines.

Mr. Cox provided a brief update of the progress on the consolidation of the two state schools. They have been looking at soil samples, current conditions, historical, renovating buildings, and anticipating the building a new education facility in Staunton. They are also working on the transition at Hampton from a residential program to a regional program.

Mr. Cox stated that the department is moving forward with the work on Indicator 14 in the state performance plan. Indicator 14 is the post school outcomes survey. Databases are in from just about every local school division.

## ***Assistive Technology State Activities Update***

Mr. John Eisenberg, the Assistive Technology Specialist for the Office of Special Education Instructional Services, provided an overview of the new IDEA '04 federal requirement to implement the National Instructional Materials Standards. This requirement provides for the creation of accessible core instructional materials for students with print disabilities in formats that include: Braille, Large Print, Electronic Text, and Digital Audio. Mr. Eisenberg presented information that included which students are going to be eligible, which materials will be covered, and how the state department of education is going to implement this process. George Mason University as well as the Department for the Blind and Vision Impaired will assist in the implementation.

Ms. Emily Dreyfus moved that **the SSEAC recommends that accessible instructional materials be widely available to students with disabilities.** Ms. Jacqueline Nelson seconded; motion passed.

Ms. Emily Dreyfus moved that **The SSEAC also recommends that competent authorities determining students' reading abilities or ability to use print shall include education officials.** Ms. Cindy Mills seconded. The motion failed. (Opposed – 4; abstentions – 4)

## ***State Performance Plan Annual Report***

Mr. Paul Raskopf distributed and gave an overview of the SPP/APR document that was sent to OSEP in February. He answered questions regarding the information that he shared. Mr. Raskopf discussed the process for releasing information to the public and the criteria for designation and the implication it would have for monitoring purposes. He shared with the committee the placement and performance data that the committee requested at the previous meeting.

## ***State Special Education Regulations Update***

Dr. Judy Douglas referred to the summary of NOIRA comments that was sent to each SSEAC member on April 2, 2007. Each of the 1,747 comments was carefully reviewed and included in this summary. The next stage of the revision process is for the department to present a draft revision of the regulations to the Board of Education, at either the Board's July or September 2007 meeting. (There is no BOE meeting in August.) Following the Board's approval of the draft for public comment, the draft will be sent to the Governor's office, Secretary of Education, Department of Planning and Budget, and the Attorney General's office for approval to be posted for public comment. There then will be a 60-day public comment period, including 5-8 public hearings. The BOE determines the number and locations of the hearings. During that period, the Stakeholders will meet to comment on the draft. Melissa Smith is updating the flow chart of the revision process. She anticipates posting it to ODR/AS' website in the next two weeks.

Ms. Cindy Mills asked about a public comment that she thought was sent representing VAISEP, and that it was not reflected in the list of organizations. Melissa Smith is to check on the public comments and advise Ms. Mills of her review.



## **Friday, April 20, 2007**

<b>Members</b>	<b>Present</b>	<b>Absent</b>	<b>Members</b>	<b>Present</b>	<b>Absent</b>
Mike Behrmann		X	Susanne Conroy	X	
Mary Ann Discenza		X	Emily Dreyfus	X	
Sharon Duncan	X		Stacie Ellis		X
Anne Fischer	X		Carol Hamilton	X	
Melodie Henderson		X	David Martin	X	
Cindy Mills	X		Jacqueline Nelson		X
Rick Richardson		X	Peter Squire		X
Tamara Temoney	X		Carletta Wilson	X	
Michael Wong		X	Pierre Ames	X	

<b>Staff</b>	<b>Present</b>	<b>Absent</b>	<b>Members</b>	<b>Present</b>	<b>Absent</b>
Pat Abrams	X		Judy Douglas	X	
Suzanne Creasey	X		Cathy Pomfrey	X	
Gloria Dalton	X				

Ms. Anne Fischer called the meeting to order. Makeup of the standing committees for meeting was discussed. The committees met briefly.

### ***Nominating Committee***

Ms. Suzanne Conroy reported that the executive committee is possibly faced with the loss of the secretary. The end of the membership term for Stacie Ellis, the current secretary, is approaching. If she does not remain on the committee, a new secretary will have to be selected.

### ***SOP Annual Review***

Ms. Cindy Mills told members the committee is preparing for a review on May 15. Hopefully a brief report on the process can be presented at the July meeting.

### ***Policy and Regulation***

Ms. Emily Dreyfus, reporting for the committee, recommended that the deadline for presenting the annual report to the Board of Education be the October Board meeting. They would like to entertain a motion at the July 2007 meeting.

There was also some discussion regarding the *Regulations Governing Special education Programs for Children with Disabilities in Virginia* and the drafting process. Ms. Dreyfus requested that when the regulations are presented to the board of education, a copy of the entire packet be sent to SSEAC members. She asked that this be presented as a motion at the July SSEAC meeting.



## ***SSEAC Public Forum Summary of Issues***

Members reviewed and discussed several of the issues raised in the Thursday evening public forum. Some of the issues addressed at the forum included:

1. There is a shortage of special education teachers and related services personnel which has resulted in hiring teachers for whom English is not a first language. There are concerns about language development among the students in these classes, specifically if the teacher does not speak English clearly.
2. Concerns about size of special education classrooms--adult/student ratio is satisfactory, but room size may be inadequate.
3. There is a need for vocational/trade opportunities for students with disabilities while they are in the public schools – as opposed to relying on other sources after school. This would result in students leaving school with the skills to enter the workforce.
4. SOL Accountability does not address the need to assess students who are on the academic track but several years below grade level.
5. The issue regarding the use of long term subs and of using them indefinitely to get around highly-qualified --that districts must report how many are used, but not for how long.

### ***Further Discussion***

There was some discussion including possible issues for discussion at later meetings. Topics mentioned included gifted education, teacher licensure, teacher placement, recruitment sources, and Highly Qualified people for programs. Some of the topics could be addressed in a written document rather than an oral report. Also mentioned were teacher substitutes, long-term substitutes and provisionally licensed teachers, filling of teacher vacancies.

Ms. Anne Fischer requested that the meeting announcement flyer be updated and mailed early.

Following concerns addressed in the Thursday evening public forum, Ms. Susanne Conroy expressed an interest in following the progress on the guidance document regarding the classroom size to the ratio of the number of students, which Dr. Pat Abrams indicated may be currently under revision.

Ms. Emily Drefus requested information on the parent survey. She also asked about graduation data for the past few years as members never received a report from spring 2006. She asked for a data breakdown by localities for the past three years.

***The meeting adjourned.***